17. (Twice Amended) Cotton seed capable of germination into a cotton [plants] plant comprising in [their] its genome a chimeric recombinant gene construction including a foreign gene and promoter and control sequences operable in cotton cells, the chimeric gene construction being effective in the cells of the cotton plant to express a cellular product coded by the foreign gene, the cellular product imbuing the plant with a detectable trait, the cellular product selected from the group consisting of a foreign protein and a negative strand RNA.

20. (Amended) Cotton seeds as claimed in Claim 11 wherein the foreign gene codes for the production of a negative [RNA] strand RNA effective to condition a somatic change to the cotton plant.

24. (New) A cotton plant comprising in its genome at least two foreign gene constructions each including promoter and control sequences effective in cotton cells and heterologous coding sequences, both foreign gene constructions effective to cause the expression of a detectable gene cellular product coded by the heterologous coding sequence in the plant cells, the cellular product of one of the foreign gene constructions selected from the group consisting of a foreign protein and a negative strand RNA, the cellular product of the other foreign gene construction being a protein selection agent which imbues

the cotton cells with the trait of resistance to a selection agent.

25. (New) A cotton plant comprising in its genome at least two foreign gene constructions each including promoter and control sequences effective in cotton cells and heterologous coding sequences, both foreign gene constructions effective to cause the expression of a detectable gene cellular product coded by the heterologous coding sequence in the plant cells, the cellular product of one of the foreign gene constructions selected from the group consisting of a foreign protein and a negative strand RNA, the cellular product of the other foreign gene construction being a protein selection agent which imbues the cotton cells with the trait of resistance to a selection agent, the foreign gene construction having been transformed into the cotton plant or its progenitors by Agrobacterium-mediated plant transformation.

REMARKS

By an Office Action dated April 22, 1991 in the file of the above-identified patent application, the application was rejected for obviousness-type double patenting, for various wording informalities in the claims, and on the grounds that the disclosure is enabling only for claims limited to transformed cotton seeds obtained by the process of Agrobacterium-mediated transformation. By this response, a Terminal Disclaimer is filed, amendments to the claims are made, and arguments are